

1 MICHAEL W. BIEN – 096891  
ERNEST GALVAN – 196065  
2 KARA J. JANSSEN – 274762  
GINGER JACKSON-GLEICH – 324454  
3 ROSEN BIEN  
GALVAN & GRUNFELD LLP  
4 101 Mission Street, Sixth Floor  
San Francisco, California 94105-1738  
5 Telephone: (415) 433-6830  
Email: mbien@rbgg.com  
6 egalvan@rbgg.com  
kjanssen@rbgg.com  
7 gjackson-gleich@rbgg.com

OREN NIMNI\*  
Mass. Bar No. 691821  
AMARIS MONTES\*  
Md. Bar No. 2112150205  
D DANGARAN\*  
Mass. Bar No. 708195  
RIGHTS BEHIND BARS  
416 Florida Avenue N.W. #26152  
Washington, D.C. 20001-0506  
Telephone: (202) 455-4399  
Email: oren@rightsbehindbars.org  
amaris@rightsbehindbars.org  
d@rightsbehindbars.org

8 SUSAN M. BEATY – 324048  
CALIFORNIA COLLABORATIVE FOR  
9 IMMIGRANT JUSTICE  
1999 Harrison Street, Suite 1800  
10 Oakland, California 94612-4700  
Telephone: (510) 679-3674  
11 Email: susan@ccijjustice.org

\*Pro hac vice applications pending

12 Attorneys for Plaintiffs

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

15 CALIFORNIA COALITION FOR WOMEN  
PRISONERS; R.B.; A.H.R.; S.L.; J.L.; J.M.;  
16 G.M.; A.S.; and L.T., individuals on behalf of  
themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 UNITED STATES OF AMERICA FEDERAL  
BUREAU OF PRISONS, a governmental entity;  
20 BUREAU OF PRISONS DIRECTOR COLETTE  
PETERS, in her official capacity; FCI DUBLIN  
21 WARDEN THAHESHA JUSINO, in her official  
capacity; OFFICER BELLHOUSE, in his  
22 individual capacity; OFFICER GACAD, in his  
individual capacity; OFFICER JONES, in his  
23 individual capacity; LIEUTENANT JONES, in  
her individual capacity; OFFICER LEWIS, in his  
24 individual capacity; OFFICER NUNLEY, in his  
individual capacity; OFFICER POOL, in his  
25 individual capacity; LIEUTENANT PUTNAM, in  
his individual capacity; OFFICER SERRANO, in  
26 his individual capacity; OFFICER SHIRLEY, in  
his individual capacity; OFFICER SMITH, in his  
27 individual capacity; and OFFICER VASQUEZ, in  
her individual capacity,

28 Defendants.

Case No. 4:23-cv-04155

**DECLARATION OF M [REDACTED]  
S [REDACTED] IN SUPPORT OF  
PLAINTIFFS' MOTIONS FOR  
PRELIMINARY INJUNCTION  
AND PROVISIONAL CLASS  
CERTIFICATION**

[4335543.1]

1 I, M [REDACTED] S [REDACTED], declare:

2 1. I have personal knowledge of the facts set forth herein, and if called as a  
3 witness, I could and would competently so testify. I make this declaration in support of  
4 Plaintiffs' Motions for Preliminary Injunction and Provisional Class Certification.

5 2. I am incarcerated in federal prison and am currently incarcerated at FCI  
6 Dublin's satellite camp from May 2022 to present. While I have just been designated for  
7 transfer to FPC Bryan to participate in RDAP (Residential Drug Abuse Program), at any  
8 point I could be transferred back to FCI Dublin's satellite camp.

9 3. FCI Dublin's inadequate systems for preventing, detecting, and responding  
10 to sexual abuse have caused actual harm to myself and others incarcerated at FCI Dublin  
11 and put myself and other incarcerated persons at substantial risk of serious harm from  
12 sexual assault, harassment, and retaliation from staff.

13 4. Between May and October 2022, I was sexually harassed by a female  
14 medical technician at FCI Dublin during three medical appointments for x-rays and  
15 treatment of the osteoarthritis in my knees. At my first appointment in May 2022, the  
16 technician smacked my butt while examining me. During my second appointment, also in  
17 May 2022, she asked me to completely remove my pants to take x-rays, even though I  
18 could have easily pulled my pants above my knees. I told her I did not feel comfortable,  
19 and even started crying, and she ignored me.

20 5. Following these two appointments, I reported these incidents to Special  
21 Investigative Services (SIS) and the Department of Justice via email. I was interviewed by  
22 Lieutenant Putnam on or around June 26, 2022. Lieutenant Putnam said he would follow  
23 up about the issue, but I never heard anything from him or SIS.

24 6. Shortly after I met with Lieutenant Putnam, I developed a sinus infection,  
25 and I put in a "sick call," or request for a medical appointment. The medical unit ignored  
26 my sick call. I put in five more sick calls. Medical staff, Mr. Parks, told me that if I filed  
27 another sick call, they would move me to the end of the waiting list. I was finally able to  
28 see medical staff in August. By that point, my infection had gotten much worse, I was in

1 constant, excruciating pain, and I had to go on very intense antibiotics. Though we often  
2 have to wait a long time to see medical staff, I felt like I was being punished for reporting  
3 the incidents with the medical technician.

4 7. Around September 2022, I had to go back to medical for a third x-ray  
5 appointment with the same female technician. The technician once again asked me to  
6 remove my pants and undergarments. I informed the technician that I was not wearing any  
7 underwear and requested a blanket to cover myself. The technician responded that she did  
8 not care, did not have a blanket, and had me remove my pants for the appointment. I felt  
9 very vulnerable, and I even cried. As a survivor of sexual assault, these incidents brought  
10 up a lot of past feelings.

11 8. I have a lot of medical problems, but because of these incidents, I'm very  
12 nervous about seeking medical care at FCI Dublin. I was also informed by a friend who is  
13 incarcerated at FCI Dublin that the same technician also made her completely remove her  
14 pants to do an x-ray.

15 9. Following the third appointment, I sent a message on CorrLinks, the BOP  
16 email system, to attorney Susan Beaty. I knew that the messages were monitored so I  
17 simply wrote "it's still happening here" and asked for a meeting with Attorney Beaty. I  
18 met with Attorney Beaty the following month at FCI Dublin. The legal visit took place in  
19 the camp visitation room, with a staff person present and within earshot.

20 10. Days after the legal visit, Lieutenant Putnam called me into the chapel for the  
21 meeting. He had read my message to Attorney Beaty and he had written notes about it on  
22 his notepad; he read the message out loud to me and asked me: "What did you mean by  
23 this?" He told me "I know who Susan is, what did you tell her?" I felt extremely  
24 intimidated and uncomfortable. I explained that I had messaged Attorney Beaty about the  
25 incidents with the medical technician that I reported to him several months earlier in June.  
26 He said he had no idea what I was talking about, and that he did not remember me ever  
27 filing a report. He made me recount my experiences to him again. He asked me repeatedly  
28 if the incidents were "sexual" or merely "inappropriate," and warned me that if the

1 incidents were “sexual” he would need to escalate it. I felt like he was pressuring me to say  
2 that the incidents weren’t sexual. I told him that my mother had raised me with the  
3 principle: if something feels wrong, it probably is wrong and you should tell someone. I  
4 told him that the incidents felt sexual and inappropriate and that I was telling someone:  
5 him. He ended the meeting.

6 11. When I arrived at FCI Dublin’s satellite camp in May 2022, I do not recall  
7 receiving comprehensive education about PREA or staff misconduct. I did not attend any  
8 training session and was not shown a video. I may have signed some paperwork regarding  
9 PREA, but I was asked to sign a lot of paperwork when I first got to FCI Dublin’s satellite  
10 camp. No one taught me how to file a PREA report, and when it came time to report the  
11 incidents with the medical technician, I had to figure it out myself.

12 12. There is no effective way to confidentially report sexual assault and abuse by  
13 staff at FCI Dublin’s satellite camp. When I reported my experiences with the medical  
14 technician in June 2022, I had to send messages to SIS and the Department of Justice via  
15 email on computer screens that could be seen by staff and other incarcerated people.

16 13. Staff at FCI Dublin also prevent people from reporting sexual assault and  
17 abuse by staff and retaliate against people who do report. After I spoke with SIS  
18 Lieutenant Putnam, medical staff ignored my requests for medical care for nearly two  
19 months. I am very nervous to submit this declaration because I know that I will face  
20 retaliation as a result.

21 14. When incarcerated persons report sexual assault and abuse by staff, FCI  
22 Dublin and BOP do not seriously investigate the reports. Investigations are frequently  
23 delayed and overseen by staff who know and work with the offending staff member.  
24 Generally nothing happens as a result. I reported my experiences with the medical  
25 technician in June and did not hear anything from prison staff for nearly six months.  
26 Lieutenant Putnam only followed up with me after I contacted an attorney, and he claimed  
27 that I had never filed a report to begin with.

28 15. The living conditions here are dire. In the camp, asbestos covers our ceilings

1 and travels through our air vents. The food in the cafeteria and in the commissary are  
2 expired. Around April or May of this year, I purchased bottles of juice that expired back in  
3 March. There have been instances where I've left a clear straw in a cup of tap water only  
4 to come back to it and see that the straw has changed to a dark black color. I no longer  
5 drink the tap water here for my own safety. Additionally, I work in recycling and was  
6 forced to sign a waiver alleging that I was trained to handle materials and protect myself  
7 against hazards such as asbestos. I was trained for neither of those things.

8       16. There is no confidential mental health care available to survivors of sexual  
9 abuse and assault at FCI Dublin. I requested mental health services when I first reported  
10 the incidents with the medical technician in June. I received support (although I would not  
11 describe it as counseling) for the first time around March or April 2023, with Tri-Valley  
12 Haven, nearly nine months after the incidents in June. I had a session with one of their  
13 counselors. In order to get this session, I had to send an email to a prison staff person. I felt  
14 like I was outing myself as someone who was sexually abused by staff, and who reported a  
15 staff member. This made me extremely nervous, because it's well known that staff people  
16 talk to and protect one another, but I really needed to speak with someone. I have not  
17 received counseling from a clinically trained professional.

18       17. The medical care at FCI Dublin is terrible. It regularly takes weeks or  
19 months to be seen by medical staff. We did not have a doctor for a very long time, but now  
20 have Dr. Fish, although she is not present every day. I am not getting sufficient care for  
21 my many medical conditions. I was recently given expired antibiotics for an infection. In  
22 addition, in or around July 2023, I received my medical records; upon reviewing them, I  
23 noticed that there were many errors in the records. For example, it noted a history of  
24 diabetes in my family, but there is no diabetes in my entire family; it also noted that my  
25 tonsils were in good condition, but I had my tonsils removed at age three. These  
26 inaccuracies further undermine my confidence in the healthcare being provided at FCI  
27 Dublin.

28       18. Around January 2023, I began to develop boils on my skin, first on my

1 armpits and then on my abdomen and thighs. I put in a med slip around April 2023, and in  
2 or around May 2023, I was seen by Dr. Souferzadah. He refused to look at or examine my  
3 skin, and simply remarked that it was a hygiene problem. I did not believe that was the  
4 case because I shower every day, wash my clothes every two days, and wash my bedding  
5 once per week. I had never had anything like this before, and several other people at FCI  
6 Dublin were having the same problem. Nonetheless, Dr. Souferzadah would not look at the  
7 boils or in any way examine my skin. He simply said: “Wash yourself and your clothes  
8 and your bedding.” I suspect that there may be chemicals I’m being exposed to that are  
9 causing these boils; I work in recycling, and we do not receive adequate PPE to protect  
10 ourselves (although we are sometimes able to get rubber gloves or paper masks, we are  
11 often forced to work without them).

12 19. Back in April 2023, there was a COVID 19 outbreak at FCI Dublin. But even  
13 when people were sick, the facility refused to test us. On or around April 27th, I went to  
14 medical because I was experiencing a lost sense of smell, fever, chills, cough, fatigue, and  
15 cold sweats; it felt like I had the stomach flu and a head cold at the same time. However,  
16 they refused to test me for COVID 19 and said it was probably just a seasonal cold. When  
17 I asked for medication, I was told that cold medicines are available from commissary.  
18 When I said that commissary was closed until the following week, which was about four  
19 days later, I was told to ask my friends for help.

20 20. There are some fixed cameras installed at the camp, but it’s well known that  
21 there are a lot of areas without cameras, including the main eating area, the education  
22 rooms, the library, and the workout room. From what I can tell, staff at FCI Dublin have  
23 never worn body-worn cameras in the facility and despite ongoing sexual abuse and  
24 assault at the facility, staff still do not use body-worn cameras.

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26 ///

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28 ///

1 I declare under penalty of perjury under the laws of the United States of America  
2 that the foregoing is true and correct to the best of my knowledge, and that this declaration  
3 is executed at Dublin, California this 15 day of August, 2023.

4 The signature is written in cursive and is partially obscured by two black rectangular redaction boxes. The first box covers the middle of the signature, and the second box covers the end of the signature.